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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Kristof Janos Fabian

CASE NO. 21-cv-1556-RSM
[to be filled in by Clerk's Office]

COMPLAINT FOR A CIVIL CASE

Jury Trial: ☐ Yes ☐ No

Plaintiff

v.

King County, Seattle, Washington

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I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Kristof Janos Fabian</u>
Street Address	<u>2701 NE 110th Street</u>
City and County	<u>Seattle, King County</u>
State and Zip Code	<u>Washington, 98125</u>
Telephone Number	<u>360-780-3165 (land), 206-388-3665 (cell)</u>

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B. Defendant

Defendant No. 1

Name	King County, Seattle, Washington
Job or Title (<i>if known</i>)	Attention: Dow Constantine, County Executive
Street Address	500 Fourth Avenue
City and County	Seattle, King County
State and Zip Code	Washington, 98104
Telephone Number	206-263-9600

Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

C. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

I have contacted the Office of the Prosecuting Attorney and the Office of Risk Management Services (King County agencies) to make a claim related to my serious injury I suffered while in custody at the King County Correctional Facility, also a King County agency. I have not

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1 received any resolution, and I have no trust in the King County legal system, since these agencies
2 as well as all local courts are all King County agencies, totally intertwined. Accordingly, I wish
3 to raise this matter out of the local scene and bring it to the U.S. District Court to receive an
4 unbiased evaluation. I believe I have the right under the Constitution to request an unbiased
5 evaluation for my case and since all local agencies are essentially the same, so I cannot get a fair
6 evaluation of my complaint.

7 Essentially, I am submitting this complaint against my local county, and the only way I can do
8 this is through the U.S. District Court. I have not been able to obtain fair treatment by my local
9 agencies, and I need to raise the issue to the U.S. District Court since essentially, I am submitting
10 this complaint against a government entity, so I have to raise the matter to the U.S. District
11 Court.

12 a.

13 b. If the defendant is a corporation.

14 The defendant, King County, Seattle, Washington., is incorporated under the laws of the
15 State of Washington... and has its principal place of business in the State of Washington.

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17 2. The Amount in Controversy.

18 The amount in controversy-the amount the plaintiff claims the defendant owes or the
19 amount at stake-is more than \$75,000, not counting interest and costs of court, because:

20 I am claiming \$400,000 for pain and suffering, and mainly for the necessity to make changes to
21 my home and its surrounding to better accommodate my diminished health conditions, reduced
22 mobility. I also claim compensatory damage of \$100,000 since KCCF could have resolved this
23 matter much earlier, so that I could get on with an improved life, a total of \$500,000.
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II. STATEMENT OF CLAIM.

King County Correctional Facility (KCCF) a King County agency caused me serious injury on October 21, 2019 while I was in their custody and care. I was 66 years old and of reduced health due to an open-heart surgery in 2015 causing me problems, necessitating early retirement. Yet, KCCF instructed me to occupy top-bunk in a cell, from which I fell. The injury resulted in serious injuries leading to the onset of FrontoTemporal Disorder causing permanent memory and cognitive ability loss, and also in brain damage - Cerebral Amyloid Angiopathy – bleeding in the brain. These injuries caused that I had to spend additional time (4 months) in jail and ever since I have to attend regular medical evaluations, and I am considered Permanently Disabled.

I submitted a claim for damages on 9/14/2020 to King County, **Office of the Prosecuting Attorney** and they issued a claim #71132. I provided all information, medical records as they requested. The county's **Office of Risk Management Services** investigated endlessly the claim but they ended up stating on 11/3/2021 that they have no liability.

Since the local court is also County entity, I have no trust or hope that I could get a fair and unbiased process, this is why I am raising issue to the U.S. District Court.

III. RELIEF

I claim \$400,000 for the extended jail time, and also compensation for pain and suffering, but mainly because I have to make changes to my house and surrounding to address my reduced mobility and balance issues. In addition, I request an additional \$100,000 for the extended time to evaluate the case, which could have been resolved a year ago. Total relief: \$500,000.

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IV. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

10/15/2021

Signature of Plaintiff

Kristof Fabian

Printed Name of Plaintiff

KRISTOF SANDS FABIAN

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Mr. Kristof J. Fabian
2701 NE 110th St
Seattle, WA 98125

CERTIFIED MAIL



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Western District of Washington
700 Stewart Street
SEATTLE, WA 98101

REGISTERED OR CERTIFIED MAIL
RECD BY: *Debbie Denny*

NOV 17 2021

TIME: 10:05 AM
UNITED STATES ATTORNEY
SEATTLE, WA